

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Marc Amouri Bakambia,

Case No. 20-cv-1433-PAM-KMM

Plaintiff,

v.

**PRETRIAL  
SCHEDULING  
ORDER**

Paul Schnell, et al.,

Defendants.

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Pursuant to Rule 16 of the Federal Rules of Civil Procedure and the Local Rules of this Court, and in order to secure the just, speedy and inexpensive determination of this action, the following schedule shall govern these proceedings. This order may be modified only upon a showing of good cause as required by Local Rule 16.3.

**FACT DISCOVERY: DEADLINES AND LIMITATIONS**

1. All pre-discovery disclosures required by Rule 26(a)(1) shall be completed on or before **March 22, 2021**.
2. Fact discovery shall be commenced in time to be completed on or before August 2, 2021.
3. No more than a total of **25 interrogatories**, counted in accordance with Rule 33(a), shall be served by each side. No more than **25 document requests** and no more than **25 requests for admissions** shall be served by each side.
4. Pursuant to the Court's authority under Federal Rule of Civil Procedure 26 to limit discovery, no depositions are permitted in this matter without first obtaining leave of the Court. Any request to conduct depositions must be made in writing and filed on or before **July 2, 2021**. Such a request should

- identify who the party seeks to depose, explain why the deposition would be helpful to the preparation of the party's case, and briefly describe why the party believes the deposition is proportional to the needs of the case. Any objection to a party's request to conduct a deposition must be filed on or before **July 9, 2021**.
5. No more than **1** Rule 35 medical examination shall be taken, which will be completed by the discovery deadline.

### **EXPERT DISCOVERY: DEADLINES AND LIMITATIONS**

1. Each side may call up to **2** expert witnesses. Disclosure of the identity of expert witnesses under Rule 26(a)(2)(A) and the full disclosures required by Rule 26(a)(2)(B), accompanied by the written report prepared and signed by the expert witness, shall be made as follows:
  - a. Initial experts.
    - i. The identity of any expert who may testify at trial regarding issues on which the party has the burden of persuasion must be disclosed on or before **August 16, 2021**.
    - ii. The initial expert written report completed in accordance with Fed. R. Civ. P. 26(a)(2)(B) must be served on or before **August 16, 2021**.
  - b. Rebuttal experts.
    - i. The identity of any experts who may testify in rebuttal to any initial expert must be disclosed on or before **September 13, 2021**.
    - ii. Any rebuttal expert's written report completed in accordance with Fed. R. Civ. P. 26(a)(2)(B) must be served on or before **September 13, 2021**.
2. Each side may take one deposition per expert. Expert discovery, including depositions, shall be completed by **October 11, 2021**.

### **DEADLINES FOR FILING MOTIONS**

1. All motions which seek to amend the pleadings or to add parties must be filed and served on or before **April 15, 2021**.

2. Non-dispositive motions and supporting documents which relate to fact discovery or related matters shall be filed and served on or before **August 20, 2021**.
3. Non-dispositive motions and supporting documents which relate to expert discovery shall be filed and served on or before this **November 1, 2021**.

### **NON-DISPOSITIVE MOTIONS: GUIDELINES**

All nondispositive motions (including those that relate to discovery and the discovery period), shall be served on the other party or their attorney, if they are represented by an attorney, and filed with the Court by the applicable deadlines. All nondispositive motions must comply with Local Rules 7.1(a) and (b)<sup>1</sup> and 37.1 of the U.S. District court for the District of Minnesota. Responses to nondispositive motions shall be served on the other parties or their attorneys, if they are represented by an attorney, and filed with the Court within **14 days** after service of the original motion. All nondispositive motions will be considered on the written submissions without oral argument, unless the Court determines there is a specific need to hold such a hearing. If any party fails to respond to a motion, the failure to respond may be treated as a default, and the relief requested in the motion may be granted.

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<sup>1</sup> Ordinarily, under Local Rule 7.1(b), “before filing a nondispositive motion, a party must contact the magistrate judge’s courtroom deputy to schedule a hearing.” Because Plaintiff is in custody and is unrepresented, and because the Court will consider all nondispositive motions based on the written submissions without oral argument, the parties are not required to contact the magistrate judge’s courtroom deputy to schedule a hearing prior to filing a motion.

### **DISPOSITIVE MOTIONS: GUIDELINES AND DEADLINES**

All dispositive motions shall be filed and served on or before **December 13, 2021**. All dispositive motions shall be served on the other party or their attorney, if they are represented by an attorney, and filed with the Court by this date. All dispositive motions must comply with Local Rule 7.1(c). Responses to dispositive motions shall be filed with the Court and served on the opposing party or their attorney, if they are represented by an attorney, on or before **25 days** following service of the original motion. Replies to dispositive motions shall be served and filed **14 days** following service of the response to the dispositive motion. All dispositive motions will be considered on the written pleadings without oral argument, unless the Court determines there is a specific need to hold such a hearing. If any party fails to respond to a motion, the failure to respond may be treated as a default, and the relief requested in the motion may be granted.

### **TRIAL**

This case shall be ready for a **jury** trial on **March 14, 2022**. The anticipated length of trial is **3** days.

Date: March 3, 2021

s/ Katherine Menendez  
Katherine Menendez  
United States Magistrate Judge